



270120

LIBER 15165 PG 756

DEC 22 1993

DEED RESTRICTIONS ON HI-MILL MANUFACTURING CO. SITE

Hi-Mill Manufacturing Company, owner in fee simple of the real estate described in Attachment 1, hereby imposes restrictions on the described real estate, also known as the Hi-Mill Manufacturing Company Site (hereinafter "the Site") in Highland, Oakland County, State of Michigan.

The following restrictions are imposed upon the Site, its present and any future owners, their authorized agents, assigns, employees or persons acting under their direction or control, for the purposes of protecting public health or welfare and the environment, preventing interference with the performance, and the maintenance, of any response actions selected and/or undertaken by the United States Environmental Protection Agency ("U.S. EPA"), or any party acting as agent for U.S. EPA, pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). Specifically, the following deed restrictions shall apply to the Site as provided for in paragraph (9) of the Consent Decree:

1. There shall be no consumptive or other use of the shallow groundwater unit underlying the Site that could cause exposure of humans or animals to the shallow groundwater unit underlying the Site;
2. There shall be no residential or agricultural use of the Site, including, but not limited to, any installation of drinking water production wells in the shallow groundwater unit, except as approved by U.S. EPA. Further, there shall be no excavation beneath the paved parking areas at the Site.
3. There shall be no tampering with, or removal of, the containment or monitoring systems that remain on the Site as a result of implementation of any response action by U.S. EPA, or any party acting as agent for U.S. EPA, and which is selected and/or undertaken by U.S. EPA pursuant to Section 104 of CERCLA; and
4. There shall be no use of, or activity at, the Site that may interfere with, damage, or otherwise impair the effectiveness of any response action (or component thereof) selected and/or undertaken by U.S. EPA, pursuant to Section 104 of CERCLA, except with written approval of U.S. EPA, and consistent with all statutory and regulatory requirements.

The above use restrictions are intended for the protection of public health and the environment and may therefore be enforced by the U.S. EPA or the State of Michigan. The obligation to implement and maintain the above restrictions shall run with the land and shall remain in effect permanently,

O.K. - J.S.

\$11.00 MISCELLANEOUS RECORDING
\$2.00 RECOMMENDATION
22 DEC 94 1:14 P.M.
RECEIPT# 1328
PAID
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

1180
x 200

unless and until such time as U.S. EPA determines there is no longer contamination on the Site.

IN WITNESS WHEREOF, Robert Beard has caused these Deed Restrictions to be executed this 22nd day of December, 1994.

FOR HI-MILL MANUFACTURING COMPANY

BY: Robert F. Beard
Robert F. Beard

Witnesseth:

Denise Russette
WITNESS DENISE RUSSETTE

Clair J. Kelley
WITNESS: CLAIRINE J. KELLEY

STATE OF MICHIGAN
COUNTY OF MACOMB

Subscribed and sworn to before me this 22nd Day of December, 1994 by Robert F. Beard

Denise M. Russette
Denise M. Russette

Macomb County, Michigan

My Commission expires: 5/26/96

Drafted by and when recorded
return to:

Butzel Long
By Richard Beard
Robert Beard

150 W. Jefferson
Detroit, MI 48206-4430
ATTN: DENISE RUSSETTE

LEGAL DESCRIPTION

Town 3 North, Range 7 East, Section 23

That part of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section lying Southeasterly of M-59 highway, Also that part of Southwest 1/4 of Northeast 1/4 of Section described as beginning at intersection of North line of Southwest 1/4 of Northeast 1/4 with Southeasterly right of way line of M-59 Highway, thence South 40 degrees 51 minutes 18 seconds West 100 feet, thence South 49 degrees 8 minutes 42 seconds East 250 feet, thence North 40 degrees 51 minutes 18 seconds East 305 feet, thence West along North line of Southwest 1/4 of Northeast 1/4 to beginning.

HIGHLAND
11-23-202-003 NE 1/4